

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN CONSENTINO,

1:02-cv-06375-OWW-DLB-P

Plaintiff,

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS** (Doc. 28)

vs.

ORDER DISMISSING ACTION

R. CANDELARIA,

Defendant.

Plaintiff, John Consentino ("plaintiff"), a state prisoner represented by counsel, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On December 1, 2006, the Magistrate Judge filed Findings and Recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the Findings and Recommendations were to be filed within twenty (20) days. To date, plaintiff has not filed objections to the Magistrate Judge's Findings and Recommendations.

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1 In accordance with the provisions of 28 U.S.C.
2 § 636(b)(1)(C) and Local Rule 73-305, this Court has conducted a
3 de novo review of this case. Having carefully reviewed the
4 entire file, the Court finds the Findings and Recommendations to
5 be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The Findings and Recommendations, filed December 1,
8 2006, are ADOPTED IN FULL; and,

9 2. This action is DISMISSED, without prejudice, based on
10 plaintiff's failure to obey the court's order of October 11,
11 2006, and failure to prosecute.

12 IT IS SO ORDERED.

13 **Dated: January 29, 2007**
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/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE